IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

FAMILY COURT APPEAL NO. 90 OF 2006

PUSHKADATT N. DAVE .. APPELLANT

Versus

DEEPIKA @ DEEPALI BHARAT DAVE.... RESPONDENT

Mr. Nitin P. Deshpande for appellant

CORAM:-SMT. RANJANA DESAI &

ANOOP V. MOHTA, JJ.

DATED:-24/8/2006

P.C.

. The appellant has challenged the judgment and order dated 31/5/06 passed by the Family Court at Pune, whereby he has been directed to pay Rs.3,000/- per month as maintenance to his grand daughter from the date of filing of the petition i.e. from 27/10/05. The son of the appellant who is the father of child Deepika is dead.

2. We have heard Mr. Deshpande, learned advocate appearing for the appellant. He contended that the quantum of maintenance is high and it may be reduced.

3. Admittedly the appellant owns three tea stalls in Pune. This fact is stated by PW 2 Mr. Ashok Oza, who is the Consultant of the Tea Stalls Owners' Association. The learned Judge has, therefore, rightly held that the appellant must pay from his earnings atleast Rs.3000/- per month to his granddaughter. In the circumstances, maintenance @ Rs.3000/- per month cannot be called exorbitant.

4. We find no reason to interfere with the impugned judgment and order, which is well reasoned. Appeal is, therefore, dismissed in limine.

(SMT. RANJANA DESAI,J.)

(ANOOP V. MOHTA, J.)